



Crl.A.(MD)No.1191 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on : 17.11.2025

Pronounced on : 21.11.2025

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.A.(MD)No.1191 of 2025

Suriya

... Appellant/
Accused No.1

Vs.

1.The State of Tamilnadu represented by its
The Deputy Superintendent of Police,
Nilakottai Sub Division,
Nilakottai Police Station,
Dindigul District.
(Crime No.265 of 2025)

...1st Respondent/
Complainant

2.The Inspector of Police,
Nilakottai Police Station,
Dindigul District.
(Crime No.265 of 2025)

...2nd Respondent/
Complainant

3.Palanisamy

...3rd Respondent/
Defacto
Complainant



Crl.A.(MD)No.1191 of 2025

Prayer : This Criminal Appeal filed under Section 14A(2) of Scheduled Castes / Scheduled Tribes Act, 1989 as amended by Act 1 of 2016, to call for the records relating to the order in Crl.M.P.No.410 of 2025 before the learned Special Court for Exclusive Trial of cases under SC/ST (POA) Act, Dindigul and the same was dismissed on 28.10.2025 and set aside the same and grant bail to the appellant by allowing this criminal appeal.

For Appellant : Mr.C.Susikumar

For Respondents : Mr.K.Gnanasekaran
Government Advocate (Crl. Side) for R1 & R2

R3 - party-in-person

JUDGMENT

The Criminal Appeal is directed against the order passed in Crl.M.P.No.410 of 2025 dated 28.10.2025 on the file of the Special Court for Exclusive Trial of cases under SC/ST (POA) Act, Dindigul, dismissing the application for bail filed under Section 483 B.N.S.S.

2. The appellant is the first accused in Crime No.265 of 2025 on the file of the second respondent police.

3. The case of the prosecution is that the third respondent / defacto complainant, who is the father of the deceased Mariappan, belongs to



Crl.A.(MD)No.1191 of 2025

SC/ST community, that the third respondent's son Mariappan married the second accused and out of their wedlock, they were blessed with two children, that thereafter, the appellant and the second accused developed illicit relationship and on coming to know about the same, the deceased lodged a complaint before the All Women Police Station, Nilakottai and during enquiry, the second accused sought apology and assured that she would not continue their relationship in future, that thereafter, the deceased and the second accused moved from the native place and shifted to Nilakottai, that on 09.09.2025 at about 11.30 p.m., the third respondent received a phone call from the second accused (daughter-in-law), who informed that when she woke up her husband, he did not respond and on examining him, a nurse informed that he is dead, that the third respondent along with his wife and relatives went to the occurrence place and found some injuries on the body of the deceased and that therefore, the third respondent was forced to lodge a complaint.

4. On the basis of the complaint lodged by the third respondent, FIR came to be registered in Crime No.265 of 2025 on 10.09.2025 under Section 194(1) B.N.S.S. and subsequently, the case was altered into



Crl.A.(MD)No.1191 of 2025

Sections 103(1), 61(2) and 3(5) BNS r/w Section 3(2)(v) of SC/ST
(Prevention of Atrocities) Act.

5. It is not in dispute that the appellant and the second accused were arrested on 10.09.2025 and remanded to judicial custody. The appellant moved an application seeking bail in Crl.M.P.No.410 of 2025 before the Special Court for Exclusive Trial of cases under SC/ST (POA) Act, Dindigul and the learned Sessions Judge, after enquiry, passed the impugned order dated 28.10.2025 dismissing the bail application. Challenging the dismissal of the bail application, the present appeal came to be filed.

6. The learned counsel appearing for the appellant would submit that the appellant is innocent and is no way connected with the alleged occurrence, that the third respondent misunderstood that the appellant is in relationship with the second accused and committed the murder and that the appellant has been falsely implicated in the above case on the basis of the confession alleged to have been given by the second accused.



Crl.A.(MD)No.1191 of 2025

WEB COPY

7. In response to the notice received, the third respondent appeared in person before this Court and would submit that on getting information from the second accused, he along with his wife and relatives went to the occurrence place and found some injuries on the body of the deceased, that the deceased is having two children and that if the appellant is released on bail, there is a possibility of a life threat.

8. The first respondent police filed a counter affidavit raising objections.

9. The learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 would submit that statements of the adjacent resident persons and eye witness were recorded under Section 183(5) B.N.S.S., that since the illicit affairs between the appellant and the second accused was questioned by the second accused's husband, both the appellant and the second accused had brutally killed the deceased and that if the appellant is released on bail, there is every possibility for hampering the investigation and tampering the witnesses and there is also possibility for abscond.



Crl.A.(MD)No.1191 of 2025

WEB COPY

10. Considering the facts and circumstances and gravity of the offence alleged and also the period of incarceration, this Court is not inclined to grant bail to the appellant at this point of time and as such, the impugned order of the learned Sessions Judge cannot be found fault with.

11. In the result, this Criminal Appeal is dismissed.

21.11.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
csm

To

- 1.The Sessions Judge,
Special Court for Exclusive Trial of cases under SC/ST (POA) Act,
Dindigul.
- 2.The Deputy Superintendent of Police,
Nilakottai Sub Division,
Nilakottai Police Station,
Dindigul District.
- 3.The Inspector of Police,
Nilakottai Police Station,
Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.A.(MD)No.1191 of 2025



WEB COPY



Crl.A.(MD)No.1191 of 2025

K.MURALI SHANKAR,J.

csn

Pre-Delivery Judgment made in
Crl.A.(MD)No.1191 of 2025

Dated : 21.11.2025